REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-15, 29-30 and 33-34 are presently active in this case. The present Amendment amends Claims 1-8, 10-12, 14-15, 29, and 33-34 without introducing any new matter; and cancels Claims 16-28 and 31-32 without prejudice or disclaimer.

The outstanding Office Action objected to the claims because of informalities. Claims 6, 8, 10-13, and 21-26 were rejected under 35 U.S.C. §112, second paragraph, as indefinite. Claims 1-4, 6-9, 11-12, 14-19, 21-25 and 27-28 were rejected under 35 U.S.C. §102(e) as anticipated by Watson et al. (U.S. Patent Publication No. 2004/0049574; herein "Watson"). Claims 29-34 were rejected under 35 U.S.C. §102(e) as anticipated by Chen et al. (U.S. Patent Publication No. 2003/0020746; herein "Chen"). Claims 13 and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Watson. Claims 5, 10, and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Watson in view of Chen.

Initially, Applicants respectfully request that the reference AW cited in the Information Disclosure Statement filed March 16, 2005 be acknowledged as having been considered in the next Office Action. A copy of the reference AW, entitled "Digestor: Device-independent Access to the World Wide Web," is submitted herewith.

In response to the rejection of Claims 6, 8, 10-13, and 21-26 under 35 U.S.C. §112, second paragraph, regarding Claims 6 and 8, the claim dependency of Claim 6 is amended to depend upon Claim 4, since Claim 4 claims "a display information generating part." Since Claims 8 and 11-12 now indirectly depend upon Claim 4, the rejection of Claims 6, 8 and 11-12 under 35 U.S.C. §112, second paragraph, is believed to be overcome.

Regarding the rejection of Claim 10 under 35 U.S.C. §112, second paragraph, Claim 4 has been amended to depend upon Claim 2. Since Claim 10 indirectly depends upon Claims

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4 and 2, and Claim 2 recites "other Web information generating parts" and "other Web information," Applicants believe that the rejection of Claim 10 is overcome.

Regarding the rejection of Claims 21-26, these claims are herewith cancelled without prejudice or disclaimer.

In view of amended Claims 4 and 6, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

To clarify the claimed invention and to correct minor formalities, Claims 1-8, 10-12, 14-15, 29, and 33-34 are amended. In particular, Claims 1-4 are amended to recite all the features of Claims 16-19, respectively. Claim 2 is additionally amended to recite features regarding the plurality of other Web information generating parts. This feature was originally recited in dependent Claim 6. Claims 5 and 6 are amended to recite all the features of Claims 20, 31, and 21, 32, respectively. In addition, Claim 6 is amended to delete the features regarding the plurality of other Web information generating parts, since this feature is now recited in Claim 2. Claim 9-15 are amended to recite all the features of Claims 22-28, respectively. Claim 29 is amended to depend upon Claim 1, and Claim 33 is amended to depend upon Claim 14. Consequently, Claims 16-28 and 31-32 are cancelled.

In light of the amendments to the claims, Applicants respectfully request reconsideration of the rejections of Claims 1-34 under 35 U.S.C. §§102(e) and 103(a), and traverse the rejections, as discussed next.

Briefly recapitulating, Claim 1 relates to an information processing apparatus connectable to a terminal through a network. The information processing apparatus includes, *inter alia*: a reference Web information generating part specifying at least one of a terminal type, language or profile of the terminal based on a first request requesting Web information,

a communicating part sending the reference Web information to the terminal, wherein the reference Web information generating part *generates reference Web information that includes a reference path created by adding common path information indicating terminal type information*, and wherein the communicating part receives *a second request* for requesting the Web information specified by the reference path.

As explained in Applicants' specification at page 5, lines 2-6 and in Figure 3, Claim 1 improves upon background information processing apparatuses, since at least one of a terminal type, language, or profile is determined as common path information 60a, one or more web information generating parts can share the common path information 60a to easily specify the terminal type, language, or profile when a second request that is received after the first request.

By adding or setting the terminal type, language, or profile as the common path information in the reference path,[1] a client can indicate the terminal type, language, or profile when sending any request after the second request,[2] since the web information generating part[3] of the information processing apparatus is specified by a relative path only.[4]

Turning now to the applied references, Watson describes a web server 1 that responds to a request message from a remote user device 2, wherein the web server 1 is capable of generating web pages in appropriate form for each user device 2.[5] Watson's web server 1 responds to a request by generating web page code representative representative of one or more web pages that have to be displayed on the remote user device 2.[6] However, Watson fails to teach or suggest that a reference Web information generating part generates reference Web information that includes a reference path created by adding common path information

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[1] See for example "/pc/admin/ja/webDefaultApl/mainFrame.cgi" of the reference numeral 403 in Applicants' Figure 14.
[2] See Applicants' Figure 15.
[3] See for example "Network Settings" of reference numeral 458a in Applicants' Figure 25.
[4] Idem "../webNetsettingApl/netsetting.cgi" of the reference numeral 448a in Applicants' Figure 24
[5] See Watson in the Abstract.
[6] See Watson at page 1, paragraph [0008].

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indicating terminal type information, and Watson also fails to teach or suggest the communicating part receives a second request for requesting the Web information specified by the reference path, as recited in amended, independent Claim 1. The outstanding Office Action asserts that Watson teaches such a feature and points out to Watson's paragraphs [0047], [0051] and [0055].[7] Applicants respectfully disagree, as next discussed.

In Watson, the web application processor 302 outputs a document 304 including instructions to generate a web page code, the web application processor being part of a web server.[8] Watson further explains that the document 304 is input to the code generating engine 21 to generate web page code with reference to content data structure 305.[9] However, Watson fails to teach or suggest that the reference Web information generating part generates reference Web information that includes a reference path created by adding common path information, as recited in amended Claim 1. Nowhere Watson teaches or suggests the generating of Web information that includes a reference path. Web page code referencing to a content data structure and policy tables, as taught by Watson, *is not* generating of Web information that includes a reference path, as recited in Claim 1. Watson merely mentions the use of URL's to determine "the appropriate information to be included in a web page requested by the user."[10]

In addition, since Applicants believe that Watson fails to teach or suggest the features regarding the reference path, it is also believed that Watson fails to teach or suggest the communicating part receiving a second request for requesting the Web information specified by the reference path, as further recited in Claim 1. The outstanding Office Action rejects this feature by pointing out to Watson at page 10, paragraph [0170].[11] However, this passage in Watson merely explains that the front end processor 190 of the web server 1 may respond

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[7] See the outstanding Office Action at page 5, lines12-17.
[8] See Watson at page 3, paragraph [0054], lines 1-3, and in Figures 1 and 2B.
[9] See Watson at page 3, paragraph [0055].
[10] See Watson at page 3, paragraph [0053].
[11] See the outstanding Office Action at page 6, lines 9-11.

to subsequent requests of the user device 2 by supplying the remaining shards of a divided document.[12] Again, nowhere Watson teaches that that the communicating part receives a second request for requesting the Web information specified by the reference path, as recited in Claim 1.

Therefore, Watson fails to teach or suggest every feature recited in Claim 1, so that Claim 1, and all associated dependent claims, are believed to be patentably distinct over the applied reference. Accordingly, Applicants respectfully traverse, and request reconsideration of, the rejection based on Watson.[13]

Since Watson fails to teach or suggest all the elements of independent Claim 1, and their interrelationships, the outstanding Office Action seems to use improper hindsight by rejecting Applicants' claims by constructing a solution based on the teachings of the claims, and such use of hindsight is clearly against established precedence. See In re Lowry, 32 F.3d 1579, 1583, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) to recite "[t]o establish a prima facie case of obviousness, the burden of establishing the absence of a novel, nonobvious functional relationship rested with the Patent and Trademark Office," and "[t]he claimed invention involved an organization of information and its interrelationships that the prior invention neither disclosed nor suggested." See also Monarch Knitting Mach. Corp. v. Sulzer Morat Gmbh, 139 F.3d 877, 880, 45 USPQ2d 1977, 1981 (Fed. Cir. 1998) "[d]efining the problem in terms of its solution reveals improper hindsight in the selection of the prior art relevant to obviousness."

The reference Chen, relied upon by the outstanding Office Action to form 35 U.S.C. §103(a) rejections, does not remedy the deficiencies of Watson. Chen describes a method for dynamically constructing a webpage, wherein a URL is received so as to identify a web

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[12] See Watson at page 10, paragraphs [0168]-[0170].
[13] See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

page.[14] Chen explains that the web page can reference elements, such as XML

representations.[15] However, Chen also fails to teach or suggest that a reference Web

information generating part generates reference Web information that includes a reference

path created by adding common path information indicating terminal type information, and

Chen also fails to teach or suggest the communicating part receives a second request for

requesting the Web information specified by the reference path, as recited in Applicants'

Claim 1.

Independent Claim 14 recites features analogous to the features recited in independent

Claim 1, as a method claim. Moreover, Claim 14 has been amended in a manner analogous

to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability

of Claim 1, Applicants respectfully submit that the rejections of Claim 14, and the rejections

of all associated dependent claims, are also believed to be overcome in view of the arguments

regarding independent Claim 1.

Consequently, in view of the present amendment, no further issues are believed to be

outstanding in the present application, and the present application is believed to be in

condition for formal Allowance. A Notice of Allowance for Claims 1-15, 29-30 and 33-34 is
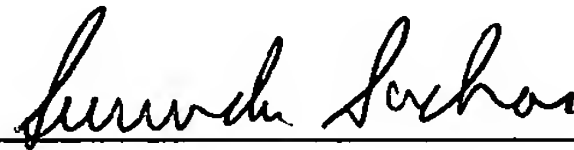
earnestly solicited.

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[14] See Chen in the Abstract.
[15] See Chen at page 2, paragraph [0023].

Should the Examiner deem that any further action is necessary to place this

application in even better form for allowance, the Examiner is encouraged to contact

Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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